

**PRESENTATION OF PREFILED RESOLUTIONS:**

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR FUDOLI, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER TO WIT:

**RESOLVED,** that the minutes of the Joint Meeting of the Town Board  
and the Planning Board held May 4, 2015 and the Regular Meeting of the Town Board held  
May 4, 2015 be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a vote  
on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPIAK	VOTED
SUPERVISOR FUDOLI	VOTED

May 18, 2015

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR FUDOLI, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER , TO WIT:

**RESOLVED**, that the following Audited Claims be and are hereby ordered paid  
from their respective accounts as per abstract to be filed in the Office of the Town Clerk by the  
Assistant to the Supervisor, to wit:

Claim No. 39877 to Claim No. 40058 Inclusive

Total amount hereby authorized to be paid: \$721,443.97

The question of the foregoing resolution was duly put to a vote on roll call  
which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPNIAK	VOTED
SUPERVISOR FUDOLI	VOTED

May 18, 2015

File: Rclaims

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER STEMPNIAK, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER TO WIT:

**RESOLVED** that the following Building Permit applications be and are hereby reaffirmed:

**CODES:**

- (SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town of Lancaster are waived for this permit.  
(CSW) = Conditional sidewalk waiver  
(V/L) = Village of Lancaster

**NEW PERMITS:**

Pmt #	SW	Applicant Name	Address	STRUCTURE	Village
23801		Forbes Homes Inc.	9 Branch Way	Er. Dwlg.-Sin.	
23802		Alliance Construction of WNY	77 Middlebury Ln	Er. Dwlg.-Sin.	
23803		Kenneth T Murphy	1116 Penora St	Re-Roof	
23804		Nancy A Peacock	42W Home Rd	Er. Shed	
23805		Brian C Johnson	101 Elm Pl	Er. Shed	(V/L)
23806		Kenneth & Amarlys Trometer	48 Hedge Ln	Re-Roof	
23807		Keneth & Amarlys Trometer	48 Hedge Ln	Re-Roof	
23808		Leo Nguyen	219 Enchanted Forest N	Er. Deck	
23809		Erin & Tina Davern	30 Burwell Ave	Er. Fence	(V/L)
23810		Colley's Pool Sales Inc	5828 Broadway	Er. Pool-In Grnd	
23811		Robert Kelchlin	15 Carter St	Re-Roof	(V/L)
23812		Brian Lorentz	651 Aurora St	Er. Fence	
23813		Bowen Road Acquisition LLC	30 Logan Ln	Er. Dwlg.-Sin.	
23814		Shane Donahue	6513 Broadway	Re-Roof	
23815		Stephen & Joanne Ruk Sr.	30 Cotton St	Er. Fence	(V/L)
23816		Dorner Decking and Renovations	43 Sussex Ln	Er. Deck	
23817		RGGT LLC	14 Eastwood Pky	Re-Roof	
23818		Scheible	20 Daniel Dr	Er. Dwlg.-Sin.	
23819		Colley's Pool Sales Inc	32 Jonquille Ct	Er. Pool-In Grnd	
23820		Colley's Pool Sales Inc	32 Jonquille Ct	Er. Fence	
23821		Colley's Pool Sales Inc	60 Middlebury Ln	Er. Pool-In Grnd	
23822		Bryon & Donna McKinney	60 Middlebury Ln	Er. Fence	
23823		Gerald Lewis DBA	134 Albert Dr	Re-Roof	(V/L)
23824		Four Season Contractors	36 Hill Valley Dr	Er. Res. Alt.	
23825		Jason M Wolf	10 Parkedge Dr	Re-Roof	
23826		Pacific Pools & Spas	3 Sterling Pl	Er. Pool-In Grnd	
23827		Picket Fence & Exteriors Inc.	3 Sterling Pl	Er. Fence	
23828		Pacific Pools & Spas	3 Silent Meadow Lane	Er. Pool-In Grnd	
23829		Tim & Carrie Knight	3 Silent Meadow Lane	Er. Fence	
23830		Mike Fron	31 Tranquility Trl	Er. Porch	
23831		Brian & Debra Evers	19 Oakwood Comm	Er. Shed	
23832		John A Kwiatkowski	522 Aurora St	Er. Deck	
23833		William Kowalyk	8 Broadmoor Ct	Er. Shed	
23834		Michael & Alicia Szillagyi	11 Sagebrush Ln	Er. Res. Add.	
23835		Craig & Rosemarie Rupert	5526 Genesee St	Er. Garage	
23836		James & Nancy Berent	17 Fox Trace	Er. Deck	
23837		WDS Renovations Inc	37 Ashwood Ct	Er. Res. Alt.	
23838		Scott & Melissa Doherty	20 Ravenwood Dr	Er. Fence	
23839		Eugene Stachewicz Jr.	22 Sussex Ln	Er. Shed	
23840		Ronald D Williams	581 Pleasant View Dr	Re-Roof	
23841		Jeffey & Jennifer Gorom	1842 Como Park Blvd	Er. Fence	(V/L)
23842		Michael R. Eddy	21 Michael Anthony Ln	Er. Fence	
23843		Superior Decks & Gazebos Inc.	12 Prairie Ln	Er. Deck	
23844		Timothy & Dawn Delaney	39 Summerfield Dr	Er. Porch	
23845		Chevalier Lawn & Landscape	17 Sawgrass Ln	Er. Res. Alt.	
23846		Bradley & Nancy Menefee	142 Robert Dr	Er. Fence	(V/L)
23847		Arthur & Michele Cecere	50 Glendale Dr	Er. Fence	
23848		John & Linda McGee	75 Heritage Dr	Inst. Generator	
23849		William & Erica Pfeiffer	102 Michael's Walk	Er. Shed	
23850		Dean Gallagher	3 Parliament Ln	Er. Shed	
23851		Peter & Haylee Ross	40 Newberry Ln	Er. Shed	
23852		Gerald Litwiller	272 Erie St	Re-Roof	

23853	Sahlems Roodfing and Siding	4 Windsor Ridge Dr	Re-Roof	
23854	Daniel & Michele Gasiecki	47 Newberry Ln	Er. Shed	
23855	Sahlems Roofing and Siding	15 Enterprise Dr	Re-Roof	
23856	Oneida Fence	22 Sussex Ln	Er. Fence	
23857	Luther Enterprises Inc	22 Sussex Ln	Er. Pool-In Grnd	
23858	Gary & Deborah Howell	132 Richmond Ave	Er. Fence	(V/L)
23859	Douglas Mattingly	780 Townline Rd	Er. Fence	
23860	Robert Keichlin	15 Carter St	Er. Res. Alt.	(V/L)
23861	DE & Catherine Blattenberger	19 Sherwood Rd	Er. Fence	(V/L)
23862	Michael & Lisa Kalinka	10 Village View	Er. Fence	
23863	Daniel Russell	104 Albert Dr	Er. Shed	(V/L)
23864	Iroquois Fence Inc.	11 Creekwood Dr	Er. Fence	
23865	Donald Wegst	48 Deerpath Dr	Er. Shed	
23866	Kevin & Corinn Cummings	4959 William St	Re-Roof	
23867	Onofrio & Arcangela Targia	3 Jonquille Ct	Er. Res. Alt.	
23868	Rebecca Suffoletto	31 Jonquille Ct	Er. Res. Alt.	
23869	James D. Revelas	28 Avian Way	Er. Pool-Abv Grnd	
23870	Jeremy & Ashley Blecha	5 Tranquility Trl	Er. Shed	
23871	Richard Tuszno	5592 William St	Er. Res. Alt.	
23872	Charles & Kathryn Pyjas	372 Lake Ave	Re-Roof	
23873	David & Rozanne Schaff	80 Pleasant Ave	Er. Fence	(V/L)
23874	Kevin Horvatits	15 Katherine St	Inst. Fireplace/Stove	
23875	Scott & Nancy Brownson	6 Robins Nest Ct	Er. Fence	
23876	Theodore Jewett III	20 Clark St	Re-Roof	(V/L)
23877	James Jurewicz	5091 William St	Er. Fence	
23878	Craig Hausrath	7 Prairie Ln	Er. Fence	
23879	Kenneth & Tracy Breinlinger	3 Sterling Pl	Er. Shed	
23880	Mellisa Severyn	741 Schwartz Rd	Er. Deck	
23881	CMK Builders of Alden Inc.	198 Peppermint Rd	Er. Dwlg.-Sin.	
23882	April R. Madera	50 Pardee Ave	Er. Fence	(V/L)
23883	Sunset Custom Homes Inc	22 Schiffler Ct	Re-Roof	
23884	Sunset Custom Homes Inc	11 Schiffler Ct	Re-Roof	
23885	David Homes	66 Tranquility Trl	Er. Dwlg.-Sin.	

**BE IT FURTHER**

**RESOLVED**, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance requirement for sidewalks, and

**BE IT FURTHER**

**RESOLVED**, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPNIAK	VOTED
SUPERVISOR FUDOLI	VOTED

May 18, 2015

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR FUDOLI, WHO  
MOVED ITS ADOPTION,                      SECONDED BY  
COUNCIL MEMBER                                      , TO WIT:

**BE IT RESOLVED**, that the Town of Lancaster, Location Code 30040,  
hereby establishes the following as standard work days for its employees and will report days  
worked to the New York State and Local Employees’ Retirement System based on the time  
keeping system or the record of activities maintained and submitted by these members to the  
clerk of this body:

<b>TITLE</b>	<b>STANDARD DAY</b>
PARK CREW CHIEF	8

**BE IT FURTHER**  
**RESOLVED**, that the terms of this resolution shall supercede any  
inconsistent provisions of previously adopted Town laws, policies and resolutions.

The question of the adoption of the foregoing resolution was duly put to a  
vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPIAK	VOTED
SUPERVISOR FUDOLI	VOTED

May 18, 2015

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR FUDOLI, WHO  
MOVED ITS ADOPTION,                      SECONDED BY  
COUNCIL MEMBER                                      , TO WIT:

**BE IT RESOLVED**, that the Town of Lancaster, Location Code 30040,  
hereby establishes the following standard work days for these titles and will report the  
officials to the New York State and Local Retirement System based on time keeping system  
records or their record of activities:

TITLE	STANDARD WORK DAY (HRS/DAY)	NAME	SOCIAL SECURITY NUMBER (LAST 4)	REGISTRATION NUMBER	CURRENT TERM BEGIN & END DATES	PARTICIPATES IN EMPLOYER'S TIME KEEPING SYSTEM	RECORD OF ACTIVITIES RESULT
Appointed Officials							
Park Crew Chief	8	Mark Lubera			04/25/15 - 12/31/15	Yes	N/A

The question of the adoption of the foregoing resolution was duly put to a  
vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPNIAK	VOTED
SUPERVISOR FUDOLI	VOTED

May 18, 2015

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER RUFFINO, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER TO WIT:

**WHEREAS,** the developer has requested the Town Board of the Town of Lancaster accept completed Public Improvements within the Creekside At Pleasant Meadows Subdivision VI, Phase III, within the Town of Lancaster, and

**WHEREAS,** the Town Engineer by letter to the Town Clerk dated May 11, 2015 has inspected the improvements and has recommended the approval thereof, and

**WHEREAS,** the Town Attorney, by letter to the Town Clerk dated May 13, 2015, has reported his favorable review for the acceptance of these public improvements.

**NOW, THEREFORE, BE IT**

**RESOLVED,** that completed Public Improvements No. 736 – Storm Sewers, No. 737- Waterline and No. 738 - Pavement & Curb, within the Creekside at Pleasant Meadows Subdivision VI, Phase III, be and are hereby approved and accepted by the Town Board of the Town of Lancaster:  
and,

**BE IT FURTHER**

**RESOLVED,** that the Town of Lancaster, under the Lease Management Agreement with the Erie County Water Authority, shall commence payment for the additional two (2) fire hydrants authorized for this subdivision with the next billing cycle, and

**BE IT FURTHER**

**RESOLVED,** that the Town Attorney is directed to attend to filing the deed causing the dedication of the road(s) to the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPIAK	VOTED
SUPERVISOR FUDOLI	VOTED

May 18, 2015

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR FUDOLI, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER , TO WIT:

**WHEREAS**, the Highway Superintendent of the Town of Lancaster, by letter dated May 7, 2015, has recommended the appointment of the following individual(s) to the following part-time temporary seasonal position(s).

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the following individual(s) are hereby appointed to the following part-time temporary seasonal position(s) in the Highway Department, for a period not to exceed five (5) months, and that these being part-time position(s) provide no health insurance, sick days, vacations, or other fringe benefits not specifically mandated for part-time temporary employees:

<u>NAME</u>	<u>POSITION</u>	<u>PAY RATE PER HOUR</u>	<u>EFFECTIVE DATE</u>
Nicholas Schlum (rehire) Lancaster, NY	Laborer	\$9.00	May 20, 2015

**BE IT FURTHER,**

**RESOLVED**, that the Supervisor of the Town of Lancaster shall be authorized to take all necessary action to implement the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPIAK	VOTED
SUPERVISOR FUDOLI	VOTED

May 18, 2015



THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER ABRAHAM, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER, TO WIT:

**WHEREAS**, the Town Board has previously duly advertised for bids for the 2015 Sidewalk, Wheelchair Ramp, Curb and Apron Replacement Project within the Town of Lancaster, and

**WHEREAS**, four (4) bids were received, opened and reviewed on May 5, 2015, and

**WHEREAS**, the lowest bidder failed to comply with the General Municipal Law and the bid specifications by failing to provide the required security with the bid and that bid has been rejected as non-compliant, and

**WHEREAS**, by letter dated May 6, 2015, Wm Schutt & Associates P.C., Consulting Engineer for the Town of Lancaster, has recommended awarding the bid to Surianello General Concrete Contractors, Inc., being the lowest responsible bidder that complied with the General Municipal Law and the bid specifications, in the amount of \$699,000.00;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster, hereby awards the bid for the 2015 Sidewalk, Wheelchair Ramp, Curb and Apron Replacement Project, to Surianello General Concrete Contractors, Inc., 635 Wyoming Avenue, Buffalo, New York 14215, in conformance with the specifications on file in the Town Clerk’s office, in the total amount not to exceed \$699,000.00.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPNIAK	VOTED
SUPERVISOR FUDOLI	VOTED

May 18, 2015

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER RUFFINO, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER, TO WIT:

**WHEREAS**, the Town of Lancaster’s construction of its new Public Safety Building located at 525 Pavement Road, is nearly completed except for the landscaping, and

**WHEREAS**, Wm. Schutt & Associates, consulting engineer for the Town has obtained three (3) price quotes for the purchase and installation of the Public Safety Building’s Landscaping in accordance with the Town of Lancaster’s Procurement Policy, and

**WHEREAS**, Wm. Schutt & Associates has recommended that the contract be granted to Adam’s Landscape & Design, 5805 Genesee Street, Lancaster, New York 14086, in the amount of \$17,760.00 per their quote dated March 30, 2015, and

**WHEREAS**, funding for the purchase and installation of the Public Safety Building’s Landscaping is available from the April 13, 2011 Police/Court’s Complex Project Bond.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor to execute the proposal for the purchase and installation of the Town of Lancaster’s Public Safety Building’s Landscaping from Adam’s Landscape & Design, 5805 Genesee Street, Lancaster, New York 14086 in accordance with their quote dated March 30, 2015, in the amount not to exceed \$17,760.00 to be paid for with funds available in the April 13, 2011 Police/Court’s Complex Project Bond.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPIAK	VOTED
SUPERVISOR FUDOLI	VOTED

May 18, 2015

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER STEMPIAK, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER, TO WIT:

**WHEREAS**, the Town Board has received a rezoning petition from North Forest Development (the “Applicant”) for the purpose of rezoning property located at 2815 and 2819 Wehrle Drive, Town of Lancaster, New York (SBL # 82.03-2-39.1) (the “Property”); and

**WHEREAS**, the Applicant has requested that the property be rezoned from Residential Commercial Office District (RCO) to Commercial and Motor Service District (CMS); and

**WHEREAS**, the Town Board referred the rezoning petition to the Planning Board for review and recommendation on March 4, 2015 pursuant to Town of Lancaster Code § 50-42(A)(2); and

**WHEREAS**, pursuant to Town of Lancaster Code § 50-42(B)(4)(a), the Town Board held a public hearing on the rezoning petition; and

**WHEREAS**, pursuant to 6 N.Y.C.R.R. § 617.5(c)(37), a denial of a rezoning petition is a Type II action;

**NOW, THEREFORE, BE IT  
RESOLVED** by the Town Board of the Town of Lancaster that:

1. The Applicant’s petition to rezone the Property from RCO to CMS is **DENIED** for the reasons stated in the attached written decision, which is incorporated herein by reference.
2. This resolution is effective immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPIAK	VOTED
SUPERVISOR FUDOLI	VOTED

May 18, 2015

STATE OF NEW YORK  
TOWN OF LANCASTER TOWN BOARD : COUNTY OF ERIE

In the Matter of a Petition for Rezoning of Property Located at  
2815 and 2819 Wehrle Drive, Lancaster, New York by:  
North Forest Development  
8201 Main Street, Suite 12  
Williamsville, New York 14221,

**DECISION**

Petitioner,

Petitioner North Forest Development (“North Forest”) submitted a rezoning petition to the Town of Lancaster Town Board (the “Town Board”) seeking to rezone property located at 2815 and 2819 Wehrle Drive (SBL # 82.03-2-39.1) (the “Property”) from Residential Commercial Office District (RCO) to Commercial and Motor Service District (CMS). The proposed future use of the Property, as described in the petition, is “self-storage units.”

The current zoning designation for the Property is RCO, the intent of which is “[t]o provide areas within the Town for the location of commercial and office uses which are not necessarily related to retail trade.” Town of Lancaster Code § 50-22(A). Permitted uses in the RCO zoning district include office buildings and offices, banks, funeral parlors, art/dance/music/photography studios, nursing homes, and certain permitted dwelling units. Town of Lancaster Code § 50-22(B). This district represents a blending of commercial and residential, and can provide a buffer between heavier commercial uses and nearby residential zoning districts. Except for property directly to the West and across Harris Hill Road to the East, the Property is surrounded by residential zoning districts, including property zoned R-1,<sup>1</sup> R-2,<sup>2</sup> and MFR-3.<sup>3</sup> Among the goals set forth in the Town’s Comprehensive Plan is the appropriate segregation of types of land uses. In furtherance of that goal, transitional zoning districts, providing for higher-density residential zoning districts and/or a mix of residential and light commercial are important buffers for residential areas, and these zoning districts are compatible with surrounding residential uses. Thus, the current RCO zoning district is consistent with the Comprehensive Plan and with existing land uses.

The CMS zoning district is very different from the RCO zoning district in many respects. It is not a transitional zoning district and it is not compatible with residential

<sup>1</sup> The intent of Residential District One (R-1) is “[t]o provide areas within the Town for low-density single-family detached residential development . . . .” Town of Lancaster Code § 50-10(A).

<sup>2</sup> The intent of Residential District Two (R-2) is “[t]o provide areas within the Town for low density, single-family and two-family detached residential development . . . .” Town of Lancaster Code § 50-11(A)

<sup>3</sup> The intent of Multifamily Residential District Three (MFR-3) is “[t]o provide areas within the Town for the development of attached and detached dwelling units . . . .” Town of Lancaster Code § 50-12(A).

use. The intent of this district is “[t]o provide areas within the Town for the location of commercial uses . . . and transportation oriented commercial uses designed to meet the needs of motorists and related vehicular needs.” Town of Lancaster Code § 50-20(A). The permitted uses do not permit residential use and include a heavier commercial use, bordering on light industrial.<sup>4</sup> For example, the proposed uses in this district include lumber yards, warehouses, storage, repair services, and automobile repair shops. This proposed zoning district and its permitted uses are not consistent with the surrounding residential zoning districts or the Comprehensive Plan.<sup>5</sup> In summary, the proposed rezoning would not be in the public interest, would be detrimental to surrounding land uses, and is not consistent with the Comprehensive Plan.

A negative declaration was issued for the proposed action wherein the Board determined that the impacts would not be so substantial to rise to the level of requiring an environmental impact statement under SEQRA. However, the Board noted these impacts and finds that these warrant denial of the rezoning. For example, the Board identified a “material conflict with an adopted land use plan or zoning regulations,” “change in the use or intensity of land,” and an “impact upon the character or quality of the existing community.”

For the reasons stated herein, North Forest’s rezoning petition is hereby DENIED in its entirety.

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<sup>4</sup> Compare Town of Lancaster Code § 50-20(B) with Town of Lancaster Code § 50-24(B). The CMS district and the LI district provide for types of work on electrical systems and appliances, warehousing, automobile work, etc.

<sup>5</sup> The Board notes that adjacent to the Property are areas zoned General Business (GB). The intent of the GB zoning district is “[t]o provide areas within the Town for the location of commercial uses which serve community-wide needs for general goods and services and comparison shopping.” The Board finds that the CMS zoning district is of a different character than the GB zoning district, in that the CMS zoning district provides for uses that are closer to light industrial. Separation of these types of uses from residential areas is one of the key components of the Comprehensive Plan.

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER RUFFINO, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER, TO WIT:

**A BOND RESOLUTION, DATED MAY 18, 2015, OF THE TOWN BOARD OF THE TOWN OF LANCASTER, ERIE COUNTY, NEW YORK (THE "TOWN"), AUTHORIZING THE ACQUISITION OF VEHICLES AND EQUIPMENT FOR THE TOWN'S PARKS, RECREATION AND FORESTRY DEPARTMENT, AT AN ESTIMATED MAXIMUM COST OF \$400,000 AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$400,000, PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SAID PURPOSE, SAID AMOUNT TO BE OFFSET BY ANY FEDERAL, STATE, COUNTY AND/OR LOCAL FUNDS RECEIVED, AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE TOWN SUPERVISOR.**

**BE IT RESOLVED**, by the Town Board of the Town of Lancaster, in the County of Erie, New York (the "Town") (by the favorable vote of not less than two-thirds of all the members of the Board) as follows:

**SECTION 1.** The Town is hereby authorized to acquire vehicles and equipment for the Town's Parks, Recreation and Forestry Department, including all necessary equipment, apparatus and warranties and all preliminary costs and costs incidental thereto and in connection with the financing thereof (collectively, the "Purpose"). The estimated maximum cost of the Purpose is \$400,000.

**SECTION 2.** The Town Board plans to finance the estimated maximum cost of the Purpose by the issuance of serial bonds in an aggregate amount not to exceed \$400,000 of the Town, hereby authorized to be issued therefor pursuant to the Local Finance Law, said amount to be offset by any federal, state, county and/or local funds received. Unless paid from other sources or charges, there shall annually be levied on all the taxable real property of the Town a tax sufficient to pay the principal of and interest on such bonds or notes as the same become due and payable.

**SECTION 3.** It is hereby determined that the Purpose is an object or purpose described in subdivision 28 of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of such Purpose is 15 years.

**SECTION 4.** Current funds are not required to be provided prior to the issuance of the bonds authorized by this resolution or any notes issued in anticipation of the sale of such bonds.

**SECTION 5.** It is hereby determined the proposed maturity of the obligations authorized by this resolution is expected to be in excess of five years.

**SECTION 6.** The faith and credit of the Town are hereby irrevocably pledged for the payment of the principal of and interest on such bonds (and any bond anticipation notes issued in anticipation of the sale of such bonds) as the same respectively become due and payable. An annual appropriation will be made in each year sufficient to pay the principal of and interest on such bonds or notes becoming due and payable in such year. Unless paid from other sources or charges, there will annually be levied on all the taxable real property of the Town a tax sufficient to pay the principal of and interest on such bonds or notes as the same become due and payable.

**SECTION 7.** Subject to the provisions of this resolution and of the Local Finance Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals of such notes and of Section 21.00, Section 50.00, Sections 56.00 to 60.00, Section 62.00 and Section 63.00 of the Local Finance Law, the powers and duties of the Town Board pertaining or incidental to the sale and issuance of the obligations herein authorized including, but not limited to, authorizing bond anticipation notes and prescribing the terms, form and contents and details as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of the sale of such bonds, and the renewals of such notes, are hereby delegated to the Town Supervisor, the chief

fiscal officer of the Town. Without in any way limiting the scope of the foregoing delegation of powers, the Town Supervisor, to the extent permitted by Section 58.00(f) of the Local Finance Law, is specifically authorized to accept bids submitted in electronic format for any bonds or notes of the Town.

**SECTION 8.** The temporary use of available funds of the Town, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Local Finance Law, for the purpose or purposes described in Section 1 of this resolution. The Town then reasonably expects to reimburse any such expenditures (to the extent made after the date hereof or within 60 days prior to the date hereof) with the proceeds of the bonds authorized by Section 2 of this resolution (or with the proceeds of any bond anticipation notes issued in anticipation of the sale of such bonds). This resolution shall constitute the declaration of the Town's "official intent" to reimburse the expenditures authorized by Section 2 hereof with such bond or note proceeds, as required by United States Treasury Regulations Section 1.150-2.

**SECTION 9.** The Town Supervisor is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution, and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and may designate the bonds authorized by this resolution, and any notes issued in anticipation thereof, as "qualified tax-exempt bonds" in accordance with Section 265(b)(3) of the Code.

**SECTION 10.** The Town Supervisor is further authorized to enter into a continuing disclosure agreement with the initial purchaser of the bonds or notes authorized by this resolution, containing provisions which are satisfactory to such purchaser in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

**SECTION 11.** The Town has determined that the Purpose will not have a significant effect on the environment and, therefore, no other determination or procedures under the State Environmental Quality Review Act ("SEQR") is required.

**SECTION 12.** In the absence or unavailability of the Town Supervisor, the Deputy Supervisor is hereby specifically authorized to exercise the powers delegated to the Town Supervisor in this resolution.

**SECTION 13.** The validity of said serial bonds or of any bond anticipation notes issued in anticipation of the sale of said serial bonds may be contested only if:

1. (a) such obligations were authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of the law which should be complied with as of the date of publication of this notice were not substantially complied with

and an action, suit or proceeding contesting such validity is commenced within 20 days after the date of such publication of this notice, or

2. such obligations were authorized in violation of the provisions of the Constitution of New York.

**SECTION 14.** This resolution is subject to permissive referendum pursuant to Section 35.00 of the Local Finance Law. The Town Clerk is hereby authorized and directed to publish (one time) and post on the sign-board of the Town, this resolution, or a summary thereof, together with a notice of adoption of this resolution subject to permissive referendum, within ten days after the date of adoption of this resolution.

**SECTION 15.** If no petitions are filed in the referendum period, the Town Clerk is hereby authorized to publish this resolution, or a summary thereof, together with a notice in substantially the form provided by Section 81.00 of the Local Finance Law, in the official newspaper(s) of the Town, or if no newspaper(s) have been so designated, then in a newspaper having general circulation in the Town, which newspaper shall be designated by the Town Board in a separate resolution.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPIAK	VOTED
SUPERVISOR FUDOLI	VOTED

May 18, 2015



**NOTICE OF ADOPTION OF BOND RESOLUTION  
SUBJECT TO PERMISSIVE REFERENDUM  
AUTHORIZING THE ACQUISITION OF VEHICLES AND EQUIPMENT FOR THE  
TOWN'S PARKS, RECREATION AND FORESTRY DEPARTMENT**

Notice is hereby given that at its May 18, 2015 meeting the Town Board of the Town of Lancaster adopted a resolution authorizing the acquisition of vehicles and equipment for the Town's Parks, Recreation and Forestry Department, including all necessary equipment, apparatus and warranties and all preliminary costs and costs incidental thereto, and in connection with the financing thereof, (collectively the "Purpose"). The Town Board plans to finance the estimated maximum cost of the Purpose (\$400,000) by the issuance of serial bonds in an aggregate amount not to exceed \$400,000, such amount to be offset by any federal, state, county and/or local funds received. Such resolution is subject to permissive referendum pursuant to New York law.

**BY ORDER OF THE TOWN BOARD OF  
TOWN OF LANCASTER, ERIE COUNTY,  
NEW YORK**

May 21, 2015

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER ABRAHAM, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER, TO WIT:

**A BOND RESOLUTION, DATED MAY 18, 2015, OF THE TOWN BOARD OF THE TOWN OF LANCASTER, ERIE COUNTY, NEW YORK (THE “TOWN”), AUTHORIZING THE ACQUISITION OF MAINTENANCE VEHICLES AND EQUIPMENT FOR THE TOWN’S HIGHWAY DEPARTMENT, AT AN ESTIMATED MAXIMUM COST OF \$1,100,000 AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$1,100,000, PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SAID PURPOSE, SAID AMOUNT TO BE OFFSET BY ANY FEDERAL, STATE, COUNTY AND/OR LOCAL FUNDS RECEIVED, AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE TOWN SUPERVISOR.**

**BE IT RESOLVED**, by the Town Board of the Town of Lancaster, in the County of Erie, New York (the “Town”) (by the favorable vote of not less than two-thirds of all the members of the Board) as follows:

**SECTION 1.** The Town is hereby authorized to acquire maintenance vehicles and equipment for the Town’s Highway Department, including all necessary equipment, apparatus and warranties and all preliminary costs and costs incidental thereto and in connection with the financing thereof (collectively, the “Purpose”). The estimated maximum cost of the Purpose is \$1,100,000.

**SECTION 2.** The Town Board plans to finance the estimated maximum cost of the Purpose by the issuance of serial bonds in an aggregate amount not to exceed \$1,100,000 of the Town, hereby authorized to be issued therefor pursuant to the Local Finance Law, said amount to be offset by any federal, state, county and/or local funds received. Unless paid from other sources or charges, there shall annually be levied on all the taxable real property of the Town a tax sufficient to pay the principal of and interest on such bonds or notes as the same become due and payable.

**SECTION 3.** It is hereby determined that the Purpose is an object or purpose described in subdivision 28 of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of such Purpose is 15 years.

**SECTION 4.** Current funds are not required to be provided prior to the issuance of the bonds authorized by this resolution or any notes issued in anticipation of the sale of such bonds.

**SECTION 5.** It is hereby determined the proposed maturity of the obligations authorized by this resolution is expected to be in excess of five years.

**SECTION 6.** The faith and credit of the Town are hereby irrevocably pledged for the payment of the principal of and interest on such bonds (and any bond anticipation notes issued in anticipation of the sale of such bonds) as the same respectively become due and payable. An annual appropriation will be made in each year sufficient to pay the principal of and interest on such bonds or notes becoming due and payable in such year. Unless paid from other sources or charges, there will annually be levied on all the taxable real property of the Town a tax sufficient to pay the principal of and interest on such bonds or notes as the same become due and payable.

**SECTION 7.** Subject to the provisions of this resolution and of the Local Finance Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals of such notes and of Section 21.00, Section 50.00, Sections 56.00 to 60.00, Section 62.00 and Section 63.00 of the Local Finance Law, the powers and duties of the Town Board pertaining or incidental to the sale and issuance of the obligations herein authorized including, but not limited to, authorizing bond anticipation notes and prescribing the terms, form and contents and details as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of the sale of such bonds, and the renewals of such notes, are hereby delegated to the Town Supervisor, the chief fiscal officer of the Town. Without in any way limiting the scope of the foregoing delegation

of powers, the Town Supervisor, to the extent permitted by Section 58.00(f) of the Local Finance Law, is specifically authorized to accept bids submitted in electronic format for any bonds or notes of the Town.

**SECTION 8.** The temporary use of available funds of the Town, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Local Finance Law, for the purpose or purposes described in Section 1 of this resolution. The Town then reasonably expects to reimburse any such expenditures (to the extent made after the date hereof or within 60 days prior to the date hereof) with the proceeds of the bonds authorized by Section 2 of this resolution (or with the proceeds of any bond anticipation notes issued in anticipation of the sale of such bonds). This resolution shall constitute the declaration of the Town's "official intent" to reimburse the expenditures authorized by Section 2 hereof with such bond or note proceeds, as required by United States Treasury Regulations Section 1.150-2.

**SECTION 9.** The Town Supervisor is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution, and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and may designate the bonds authorized by this resolution, and any notes issued in anticipation thereof, as "qualified tax-exempt bonds" in accordance with Section 265(b)(3) of the Code.

**SECTION 10.** The Town Supervisor is further authorized to enter into a continuing disclosure agreement with the initial purchaser of the bonds or notes authorized by this resolution, containing provisions which are satisfactory to such purchaser in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

**SECTION 11.** The Town has determined that the Purpose will not have a significant effect on the environment and, therefore, no other determination or procedures under the State Environmental Quality Review Act ("SEQR") is required.

**SECTION 12.** In the absence or unavailability of the Town Supervisor, the Deputy Supervisor is hereby specifically authorized to exercise the powers delegated to the Town Supervisor in this resolution.

**SECTION 13.** The validity of said serial bonds or of any bond anticipation notes issued in anticipation of the sale of said serial bonds may be contested only if:

1. (a) such obligations were authorized for an object or purpose for which the Town is not authorized to expend money, or  
(b) the provisions of the law which should be complied with as of the date of publication of this notice were not substantially complied with

and an action, suit or proceeding contesting such validity is commenced within 20 days after the date of such publication of this notice, or

2. such obligations were authorized in violation of the provisions of the Constitution of New York.

**SECTION 14.** This resolution is subject to permissive referendum pursuant to Section 35.00 of the Local Finance Law. The Town Clerk is hereby authorized and directed to publish (one time) and post on the sign-board of the Town, this resolution, or a summary thereof, together with a notice of adoption of this resolution subject to permissive referendum, within ten days after the date of adoption of this resolution.

**SECTION 15.** If no petitions are filed in the referendum period, the Town Clerk is hereby authorized to publish this resolution, or a summary thereof, together with a notice in substantially the form provided by Section 81.00 of the Local Finance Law, in the official newspaper(s) of the Town, or if no newspaper(s) have been so designated, then in a newspaper having general circulation in the Town, which newspaper shall be designated by the Town Board in a separate resolution.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPIAK	VOTED
SUPERVISOR FUDOLI	VOTED

May 18, 2015

**NOTICE OF ADOPTION OF BOND RESOLUTION  
SUBJECT TO PERMISSIVE REFERENDUM  
AUTHORIZING THE ACQUISITION OF MAINTENANCE VEHICLES  
AND EQUIPMENT FOR THE TOWN'S HIGHWAY DEPARTMENT**

Notice is hereby given that at its May 18, 2015 meeting the Town Board of the Town of Lancaster adopted a resolution authorizing the acquisition of maintenance vehicles and equipment for the Town's Highway Department, including all necessary equipment, apparatus and warranties and all preliminary costs and costs incidental thereto, and in connection with the financing thereof, (collectively the "Purpose"). The Town Board plans to finance the estimated maximum cost of the Purpose (\$1,100,000) by the issuance of serial bonds in an aggregate amount not to exceed \$1,100,000, such amount to be offset by any federal, state, county and/or local funds received. Such resolution is subject to permissive referendum pursuant to New York law.

BY ORDER OF THE TOWN BOARD OF  
TOWN OF LANCASTER, ERIE COUNTY,  
NEW YORK

May 21, 2015

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER ABRAHAM, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER, TO WIT:

**WHEREAS**, on November 20, 2014, at the recommendation of the Highway Superintendent, the Town Board of the Town of Lancaster entered into an agreement with DiDonato Associates, P.E., P.C. to provide the engineering services for the design, construction administration and inspection phases for the Town of Lancaster’s Lincoln Street Culvert project, and

**WHEREAS**, DiDonato Associates, P.E., P.C has requested that the Town Board authorize an invitation to bid for the reconstruction of the Lincoln Street culvert located over Scajaquada Creek between Walden Avenue and Olmstead Avenue within the Town of Lancaster, and

**WHEREAS**, the Town Board has given due review and consideration to the request and deems it in the interest of public safety to invite public bids for the reconstruction of the Lincoln Street culvert in conformance with General Municipal Law § 103 of the State of New York;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster hereby invites public bids for the reconstruction of the Lincoln Street culvert located over Scajaquada Creek between Walden Avenue and Olmstead Avenue, said bids are to be in conformance with the plans and specifications which are available at the office of DiDonato Associates, P.E., P.C., 689 Main Street, Buffalo, New York 14203 and to be received in the office of the Town Clerk, 21 Central Avenue, Lancaster, New York, no later than 10:00 A.M. Local Time on June 10, 2015 and opened thereafter.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPNIAK	VOTED
SUPERVISOR FUDOLI	VOTED

May 18, 2015

# **NOTICE TO BIDDERS**

FOR THE

## **TOWN LANCASTER RECONSTRUCTION OF LINCOLN STREET CULVERT OVER SCAJAQUADA CREEK**

Sealed bids for the proposed reconstruction of Lincoln Street Culvert over Scajaquada Creek in the Town of Lancaster will be received by the Town Clerk at her office in the Town Hall, 21 Central Avenue, Lancaster, New York on or before 10:00 A.M. local time on June 10, 2015, at which time they will be publicly opened and read aloud.

Contract Documents may be examined at the office of the Town Clerk and at the office of the CONSULTING ENGINEER, DiDonato Associates, P.E., P.C., 689 Main Street, Buffalo, New York 14203 between the hours of 9:00 A.M. and 4:00 P.M., except Saturdays, Sundays and Holidays.

Contract Documents for the Culvert Replacement Project may be obtained at the office of the CONSULTING ENGINEER upon deposit of \$50.00 per set [two (2) checks of \$25.00 each payable to the CONSULTING ENGINEER]. If requested in writing, the CONSULTING ENGINEER will mail the Contract Documents to those wishing to obtain a set upon receipt of the \$50.00 deposit plus a non-refundable mailing charge of \$25.00 per set, made payable to the CONSULTING ENGINEER. Bidders will receive a refund of the entire deposit upon returning plans and specifications in good condition within thirty (30) days of the bid award; non-bidders will be refunded one-half of the deposit upon the return of such plans and specifications in good condition within the thirty (30) days following the award of the Contract.

Proposals shall be made and received upon the following conditions:

Each proposal must be accompanied by the deposit of a certified check, payable to the Town of Lancaster, for a sum equal to five percentum (5%) of the total amount of the Bid, or a bond with sufficient sureties in a penal sum equal to five percentum (5%) of such total bid amount, conditioned that if the proposal is accepted, that he will execute within fifteen (15) days from the date of the acceptance of the proposal, a suitable security bond in the amount of the Contract, conditioned for the faithful and prompt performance and completion of the Work specified in the Contract.

All bid deposits except that of the successful bidder will be returned.

Upon acceptance of his Bid, if the successful bidder fails to enter into a Contract pursuant to the requirements of the Contract Documents, or fails to give the further security prescribed in this Notice, with the same time limited therein, then the check deposited as aforesaid and the monies standing to the credit of the same, shall be forfeited to the Town as liquidated damages, or the payment of the bond enforced for the benefit of the Town. The Town of Lancaster reserves the right to waive informalities in or to reject any and all bids.

Consulting Engineers:  
DiDonato Associates, P.E., P.C.  
689 Main Street  
Buffalo, NY 14203  
(716) 656-1900  
Date: May 21, 2015

By the Order of the Town Board of  
Lancaster, Erie County, New York

Johanna Coleman  
Town Clerk

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER ABRAHAM, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER, TO WIT:

**WHEREAS**, The Town Board has previously duly advertised for bids for the construction of the Town of Lancaster Highway Department’s Pre-Engineered Building which consisted of a Building System (Contract G), an HVAC System (Contract H) and an Electrical System (Contract E) and

**WHEREAS**, bids were received, opened and reviewed on April 19, 2015, there were four (4) bids received for Contract G, five (5) bids for Contract H and six (6) bids for Contract E, and

**WHEREAS**, by letter dated May 11, 2015, Wm Schutt & Associates P.C., consulting Engineer for the Town of Lancaster, has recommended awarding **Contract G** - Pre-Engineered Building System to **MGR Constructors, Inc.**, being the lowest responsible bidder in the amount of \$625,400.00, awarding **Contract H – HVAC System** to **Parise Mechanical, Inc.**, being the lowest responsible bidder in the amount of \$141,500.00, and awarding **Contract E – Electrical System** to **Concord Electric Corp.**, being the lowest responsible bidder in the amount of \$73,700.00.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster, hereby awards bids for the Highway Department Pre-Engineered Building for **Contract G – Building System to MGR Constructors, Inc, P.O. Box 61, Bowmansville, New York 14026** in the amount of \$625,400.00, awarding **Contract H – HVAC System to Parise Mechanical, Inc., 1106 Sheridan Drive, Tonawanda, New York 14150**, in the amount of \$141,500.00, and awarding **Contract E – Electrical System to Concord Electric Corp., 705 Maple Street, Rochester, New York 14611**, in the amount of \$73,700.00, being the lowest responsible bidders in conformance with the specifications on file in the office of Wm. Schutt & Associates, P.C. for a total cost of \$ 840,600.00 to be paid for with funds available in the amended April 15, 2013 Town Storage Building Bond.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPIAK	VOTED
SUPERVISOR FUDOLI	VOTED



THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR FUDOLI WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER TO WIT:

**WHEREAS**, the Park Crew Chief of the Parks, Recreation and Forestry Department of the Town of Lancaster, by letter dated May 13, 2015, has recommended the appointment of the following individual(s) to the following part-time temporary seasonal position(s).

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the following individual(s) are hereby appointed to the following part-time temporary seasonal position(s) in the Parks, Recreation and Forestry Department, for a period not to exceed five (5) months, and that these being part-time position(s), provide no health insurance, sick days, vacations, or other fringe benefits not specifically mandated for part-time temporary employees:

<u>NAME</u>	<u>POSITION</u>	<u>PAY RATE PER HOUR</u>	<u>EFFECTIVE DATE</u>
George Besch (rehire) Lancaster, NY	Recreation Attendant (Tennis Supervisor)	\$16.25	May 19, 2015
Gabrielle Cumbo (rehire) Lancaster, NY	Recreation Attendant (Tennis Instructor)	\$9.00	May 19, 2015
Berkeley Kozuch (new hire) Depew, NY	Recreation Attendant (Tennis Instructor)	\$9.00	May 19, 2015
Brandon Kryszak (rehire) Lancaster, NY	Recreation Attendant (Tennis Instructor)	\$9.00	May 19, 2015
Ryan Londos (rehire) Depew, NY	Recreation Attendant (Tennis Instructor)	\$9.00	May 19, 2015
Chelsea Mang (rehire) Lancaster, NY	Recreation Attendant (Tennis Instructor)	\$9.40	May 19, 2015
Thao-Charline Nguyen (rehire) Lancaster, NY	Recreation Attendant (Tennis Instructor)	\$9.00	May 19, 2015
Emily Staebell (rehire) Depew, NY	Recreation Attendant (Tennis Instructor)	\$9.00	May 19, 2015
Julia Taboni (new hire) Depew, NY	Recreation Attendant (Tennis Instructor)	\$9.00	May 19, 2015
Catie Veiders (rehire) Depew, NY	Recreation Attendant (Tennis Instructor)	\$9.00	May 19, 2015
Nicholas Wojtkiewicz (rehire) Lancaster, NY	Recreation Attendant (Tennis Instructor)	\$9.00	May 19, 2015
Anthony Ambrose (rehire) Lancaster, NY	Recreation Attendant (Playground Supervisor)	\$12.00	May 19, 2015
Lauren Kotas (rehire) Lancaster, NY	Recreation Attendant (Playground Supervisor)	\$11.00	May 19, 2015
Kristen Warner (rehire) Lancaster, NY	Recreation Attendant (Playground Supervisor)	\$11.00	May 19, 2015
Emily Boughton (rehire) Lancaster, NY	Recreation Attendant (Playground Supervisor)	\$11.00	May 19, 2015

Lauren Betzig (rehire) Depew, NY	Recreation Attendant (Playground Attendant)	\$9.00	May 19, 2015
Krista Blask (rehire) Depew, NY	Recreation Attendant (Playground Attendant)	\$9.00	May 19, 2015
Ryan Cook (rehire) Lancaster, NY	Recreation Attendant (Playground Attendant)	\$9.00	May 19, 2015
Bailey Dembski (rehire) Lancaster, NY	Recreation Attendant (Playground Attendant)	\$9.00	May 19, 2015
Larissa Filipski (rehire) Lancaster, NY	Recreation Attendant (Playground Attendant)	\$9.00	May 19, 2015
Thomas Fortman (rehire) Lancaster, NY	Recreation Attendant (Playground Attendant)	\$9.00	May 19, 2015
Nicole Giardina (new hire) Lancaster, NY	Recreation Attendant (Playground Attendant)	\$9.00	May 19, 2015
Samantha Giardina (rehire) Lancaster, NY	Recreation Attendant (Playground Attendant)	\$9.00	May 19, 2015
Megan Gorenflo (rehire) Lancaster, NY	Recreation Attendant (Playground Attendant)	\$9.00	May 19, 2015
Kailee Juzdowski (new hire) Lancaster, NY	Recreation Attendant (Playground Attendant)	\$9.00	May 19, 2015
Erin Kotas (rehire) Lancaster, NY	Recreation Attendant (Playground Attendant)	\$9.00	May 19, 2015
Kelly Krnjaich (rehire) Lancaster, NY	Recreation Attendant (Playground Attendant)	\$9.00	May 19, 2015
Jordan Leonard (new hire) Lancaster, NY	Recreation Attendant (Playground Attendant)	\$9.00	May 19, 2015
Lucas Maciejewski (rehire) Lancaster, NY	Recreation Attendant (Playground Attendant)	\$9.00	May 19, 2015
Catherine Mailloux (rehire) Lancaster, NY	Recreation Attendant (Playground Attendant)	\$9.00	May 19, 2015
Jessica Martin (new hire) Lancaster, NY	Recreation Attendant (Playground Attendant)	\$9.00	May 19, 2015
Allie Opera (new hire) Lancaster, NY	Recreation Attendant (Playground Attendant)	\$9.00	May 19, 2015
Stefanie Piotrowski (rehire) Lancaster, NY	Recreation Attendant (Playground Attendant)	\$9.00	May 19, 2015
Hannah Reimer (rehire) Lancaster, NY	Recreation Attendant (Playground Attendant)	\$9.00	May 19, 2015
Ashley Schiffler (new hire) Lancaster, NY	Recreation Attendant (Playground Attendant)	\$9.00	May 19, 2015
Alyson Sylvester (rehire) Lancaster, NY	Recreation Attendant (Playground Attendant)	\$9.00	May 19, 2015
Heather Teichmann (rehire) Lancaster, NY	Recreation Attendant (Playground Attendant)	\$9.00	May 19, 2015

Kristyn Wind (rehire) Lancaster, NY	Lifeguard (Pool Director)	\$15.00	May 19, 2015
Eric Mruk (rehire) Lancaster, NY	Lifeguard (Supervisor)	\$12.00	May 19, 2015
Erin Weigand (rehire) Lancaster, NY	Lifeguard (Supervisor)	\$12.00	May 19, 2015
Brianna Bartholomew (rehire) Depew, NY	Lifeguard	\$10.00	May 19, 2015
Emily Bassett (rehire) Depew, NY	Lifeguard	\$10.00	May 19, 2015
Connor Blizzard (rehire) Lancaster, NY	Lifeguard	\$10.50	May 19, 2015
Spencer Blizzard (rehire) Lancaster, NY	Lifeguard	\$10.00	May 19, 2015
Michael Emerson (rehire) Lancaster, NY	Lifeguard	\$10.00	May 19, 2015
Laura Enzinna (rehire) Lancaster, NY	Lifeguard	\$10.00	May 19, 2015
Corinne Glauber (rehire) Depew, NY	Lifeguard	\$10.00	May 19, 2015
Sean Gorenflo (rehire) Lancaster, NY	Lifeguard	\$10.00	May 19, 2015
Kirstin Heffler (rehire) Lancaster, NY	Lifeguard	\$10.00	May 19, 2015
Christopher Karnyski (rehire) Lancaster, NY	Lifeguard	\$10.00	May 19, 2015
Bryan Krajewski (rehire) Lancaster, NY	Lifeguard	\$10.50	May 19, 2015
Jesse Kucewicz (rehire) Lancaster, NY	Lifeguard	\$10.00	May 19, 2015
Tyler Landahl (new hire) Lancaster, NY	Lifeguard	\$10.00	May 19, 2015
Jordan Manley (rehire) Lancaster, NY	Lifeguard	\$11.00	May 19, 2015
Rebecca Korte (new hire) Clarence, NY	Lifeguard	\$10.00	May 19, 2015
Daniel Rudz (rehire) Lancaster, NY	Lifeguard	\$10.00	May 19, 2015
Dana Santasiero (rehire) Lancaster, NY	Lifeguard	\$10.00	May 19, 2015
Joelle Sawyer (rehire) Lancaster, NY	Lifeguard	\$10.00	May 19, 2015
Erin Sullivan (rehire) Depew, NY	Lifeguard	\$10.00	May 19, 2015

Daniel Sutch (rehire) Lancaster, NY	Lifeguard	\$10.00	May 19, 2015
Hannah Turek (rehire) Depew, NY	Lifeguard	\$10.00	May 19, 2015
Michaela Wozniak (rehire) Lancaster, NY	Lifeguard	\$10.00	May 19, 2015
Samantha Wozniak (rehire) Lancaster, NY	Lifeguard	\$10.00	May 19, 2015
Sydney Blizzard (rehire) Lancaster, NY	Lifeguard (Substitute)	\$10.00	May 19, 2015
Sarah Bzibziak (new hire) Depew, NY	Lifeguard (Substitute)	\$10.00	May 19, 2015
Jacob Ernst (rehire) Lancaster, NY	Lifeguard (Substitute)	\$10.00	May 19, 2015
Jennifer Kennedy (rehire) Clarence Center, NY	Lifeguard (Substitute)	\$11.50	May 19, 2015
Berkeley Kozuch (new hire) Depew, NY	Lifeguard (Substitute)	\$10.00	May 19, 2015
Jillian Kreppel (new hire) Clarence, NY	Lifeguard (Substitute)	\$10.00	May 19, 2015
Jacob Loecher (rehire) Lancaster, NY	Lifeguard (Substitute)	\$10.00	May 19, 2015
Ryan McHale (rehire) Lancaster, NY	Lifeguard (Substitute)	\$10.00	May 19, 2015
Olivia Prusaczyk (new hire) Lancaster, NY	Lifeguard (Substitute)	\$10.00	May 19, 2015
Megan Schneider (new hire) Lancaster, NY	Lifeguard (Substitute)	\$10.00	May 19, 2015
Meagan Strek (new hire) Lancaster, NY	Lifeguard (Substitute)	\$10.00	May 19, 2015
Trevor Wyse (new hire) Lancaster, NY	Lifeguard	\$10.00	May 19, 2015

**BE IT FURTHER,**  
**RESOLVED,** that the Supervisor of the Town of Lancaster shall be  
authorized to take all necessary action to implement the foregoing.

The question of the adoption of the foregoing resolution was duly put to a  
vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPNIAK	VOTED
SUPERVISOR FUDOLI	VOTED

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR FUDOLI, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER TO WIT:

**WHEREAS**, the Executive Director of the Youth Bureau of the Town of Lancaster, by letter dated May 13, 2015, has recommended the appointment of the following individual(s) to the following part-time temporary seasonal position(s).

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the following individual(s) are hereby appointed to the following part-time temporary seasonal position(s) in the Youth Bureau, for a period not to exceed five (5) months, and that these being part-time position(s), provide no health insurance, sick days, vacations, or other fringe benefits not specifically mandated for part-time temporary employees:

<u>NAME</u>	<u>POSITION</u>	<u>PAY RATE PER HOUR</u>	<u>EFFECTIVE DATE</u>
Deanna Baker (rehire) Lancaster, NY	Tutor	\$15.50 hr.	June 1, 2015
Donna Greene (rehire) Cheektowaga, NY	Tutor	\$16.50 hr.	June 1, 2015
Katie Lutz (new hire) Lancaster, NY	Tutor	\$15.00 hr.	June 1, 2015
Ashley Mommertz (new hire) Tonawanda, NY	Tutor	\$15.00 hr.	June 1, 2015
Kim Pesany-Au (rehire) Lancaster, NY	Tutor	\$17.25 hr.	June 1, 2015
Lynn Dalfonso (rehire) Lancaster, NY	Tutor	\$18.50 hr.	June 1, 2015
Robert Pacillo (rehire) Lewiston, NY	Tutor	\$18.50 hr.	June 1, 2015
John Kaczorowski (rehire) Amherst, NY	Tutor	\$18.50 hr.	June 1, 2015
Ryan Kaminski (rehire) Lancaster, NY	Tutor	\$16.25 hr.	June 1, 2015
Richard Needham (new hire) Depew, NY	Tutor	\$10.00 hr.	June 1, 2015
Maureen Edwards (rehire) Corfu, NY	Tutor	\$10.00 hr.	June 1, 2015
Kevin Koperski (rehire) Lancaster, NY	Tutor	\$12.75 hr.	June 1, 2015

**BE IT FURTHER,**

**RESOLVED,** that the Supervisor of the Town of Lancaster shall be authorized to take all necessary action to implement the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPNIAK	VOTED
SUPERVISOR FUDOLI	VOTED

May 18, 2015

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR FUDOLI, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER, TO WIT:

**WHEREAS**, the Town Board of the Town of Lancaster after due review and consideration has determined that certain real property owned by the Town is surplus property as the Town has not made use of the property and has no future use under consideration, and

**WHEREAS**, the Town Board has determined that the sale of such surplus property is in the interest of the residents of the Town as it will provide revenue to the Town, and

**WHEREAS**, the Town obtained an appraisal for the property to be deemed surplus and is prepared to move the sale of the property to auction through the appointment of an auctioneer, and

**WHEREAS**, an action of the Town Board to convey Town owned real property is subject to permissive referendum pursuant to §64(2) of Town Law.

**NOW, THEREFORE, BE IT**

**RESOLVED**, the Town Board of the Town of Lancaster hereby makes a determination that the following parcel is surplus property to the Town to wit:

**ALL THAT TRACT OR PARCEL OF LAND**, situate in the Town of Lancaster, County of Erie and State of New York being the north-easterly part of Lot 3, Section 7, Township 11, Range 6 of the Holland Land Company’s Survey, bounded and described as follows:

BEGINNING at a point in the easterly line of said Lot3, distant 240 feet northerly from its intersection with the center line of Broadway, as measured along said easterly line of said Lot 3, thence northerly along the easterly line of said Lot 3, 1618.50 feet to the northeast corner of said Lot3, thence westerly along the north line of the said Lot 3, 85 feet, thence southerly parallel with the easterly line of said Lot 3. A distance of 1618.50 feet to a point distant 240 feet northerly from the center line of Broadway as measured along a line drawn parallel with the east line of said Lot 3; thence easterly parallel with the Center line of Broadway a distance of 85 feet to the point of place of beginning.

Subject to easements, rights of way and restrictions of record, if any.

Parcel has a tax I.D. No. 116.00-1-8.2.

**BE IT FURTHER**

**RESOLVED**, that the Town appoints, Cash Cunningham of Cash Realty & Auctions to act as the designated Town Officer for purpose of holding a public auction of the before mentioned parcel with the bidding to commence at a minimum bid of Thirty Thousand Dollars (\$30,000.00).

**BE IT FURTHER**

**RESOLVED**, that the terms and conditions for the public auction shall be as set forth on the attached “Terms and Conditions Statement for Public Auction” which is made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPNIAK	VOTED
SUPERVISOR FUDOLI	VOTED

**TERMS AND CONDITIONS FOR PUBLIC AUCTION  
TOWN OF LANCASTER OWNED REAL PROPERTY**

1. All sales are subject to (i) compliance by the Lancaster Town Board with the New York State Environmental Quality Review Act (with input from purchaser); (ii) the final approval by the Lancaster Town Board; (iii) expiration of the required period during which a public referendum as to this transaction can be compelled and/or approval of this transaction in any such referendum which may be required.
2. Bidders must pay 20% of the purchase price in CASH, CERTIFIED CHECK or MONEY ORDER (U.S. FUNDS) ONLY as a deposit at the time the bidding is closed and a winning bidder has been identified; if such deposit is not made the property will immediately be again offered for sale.
3. All properties sold will be subject to a BUYER'S PREMIUM in the amount of five percent (5%) added to the amount of the successful bid price and shall be payable at closing.
4. All sales must be closed within 90 days after notification of approval by the Lancaster Town Board. IF a bidder should not close within the 90-day period, the deposit less the BUYER'S PREMIUM will be forfeited and the property re-sold, the bidder remaining liable to the Town for breach of contract damages.
5. The Town **WILL NOT** provide a search or survey.
6. The Town will furnish a Quit Claim Deed to the purchaser and all deeds must be recorded at closing.
7. The purchaser is responsible for paying the New York State Real Property Transfer Tax, the Transportation Assistance Tax and recording fees.
8. All properties are sold "AS IS" without any representation or warranty regarding title, value, condition, occupancy or suitability for a particular use.
9. All properties are sold subject to any existing easement, restriction, zoning regulations and encroachments.
10. No bid assignments, name changes or additional description requests will be processed by the Referee after the date of the sale unless accompanied by a \$50.00 fee (each), paid by the party requesting same.



**LEGAL NOTICE OF PUBLIC AUCTION  
OF LAND OWNED BY  
THE TOWN OF LANCASTER**

Notice is hereby given that the Town of Lancaster through its designated Officer will hold a public auction of a parcel of Town owned land described as follows:

The property represents a single, rectangular, landlocked parcel of vacant land located on the north side of Broadway Street, in the Town of Lancaster, Erie County, New York. The parcel is identified as SBL No. 116.00-1-8.2 and contains 3.16 $\pm$  acres of land. The property is situated behind a small parcel that has frontage on Broadway Street at the intersection of Bowen Road and Broadway Street with a width of 85 $\pm$ ' and a depth of 1,816.50 $\pm$ '.

The auction of the above parcel will take place at a date and time to be determined by the appointed Town Officer designated to hold a public auction in the Town Hall Meeting Chambers, 21 Central Avenue, Lancaster, New York.

Terms and conditions of this public auction are available in the office of the Town Clerk, 21 Central Avenue, Lancaster, New York during regular business hours from 9:00 A.M. to 5:00 P.M. Monday through Friday.

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER RUFFINO, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER, TO WIT:

**WHEREAS**, Town of Lancaster Police Patrol Captain, Marco Laurienzo, by letter dated May 12, 2015 has requested the purchase of two (2) new and unused 2015 Chevrolet Tahoe PPV AWD 4 Door Police Vehicles, for the use within the Police Department, and

**WHEREAS**, the above-referenced vehicles are available from the Chautauqua County Department of Facilities, Bid Proposal No. E-11-14 PFTH, through authorized police vehicle dealer Joe Basil Chevrolet, which eliminates the need for competitive bidding pursuant to §103 of General Municipal Law, and

**WHEREAS**, Captain Laurienzo has recommended the purchase of the before mentioned vehicles, in accordance with said specifications, from Joe Basil Chevrolet, 5111 Transit Road, Depew, New York 14043.

**WHEREAS**, the Town Board deems it in the public interest to approve the purchase of said vehicles;

**NOW, THEREFORE, BE IT  
RESOLVED**, as follows:

- 1) The Town Board of the Town of Lancaster hereby approves the purchases of two (2) new and unused 2015 Chevrolet Tahoe PPV AWD 4 Door Police Vehicles, and that the order for these vehicles is to be placed by the Police Patrol Captain as follows:
  - The purchase of two (2) new 2015 Chevrolet Tahoe PPV AWD 4 Door Police Vehicles at a unit price of \$34,467.30 per vehicle = \$68,934.60. After trade-allowances below are applied the total expenditure for this purchase = \$57,934.60.
- 2) That the following vehicles are to be traded to Basil Chevrolet, as per the trade-in allowance proposal attached to the May 12, 2015 letter:

<b>A.</b> One (1) 2006 Ford Expedition Vin# 1FMPU14576LA24099	\$5,000.00
<b>B.</b> One (1) 2006 Ford Expedition Vin# 1FMPU14566LA24207	\$6,000.00

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPIAK	VOTED
SUPERVISOR FUDOLI	VOTED

May 18, 2015

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR FUDOLI, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER, TO WIT:

**WHEREAS**, B.M.A. Consulting Services, Inc., has made a proposal to the Town of Lancaster to provide insurance consulting services in accordance with terms of a Business Consultant Agreement as presented, and

**WHEREAS**, the Town Board of the Town of Lancaster desires to engage B.M.A. Consulting Services, Inc.,

**NOW THEREFORE BE IT**

**RESOLVED**, that the Supervisor be and hereby is authorized to sign the Business Consultant Agreement with B.M.A. Consulting Services, Inc., as presented, subject to final approval of legal counsel.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPIAK	VOTED
SUPERVISOR FUDOLI	VOTED

May 18, 2015